

## **DECISION**

### **Introduction**

This hearing dealt with applications filed by the Landlord and the Tenants pursuant to the Residential Tenancy Act (the “Act”):

The Landlord applied for:

- a Monetary Order for unpaid rent under section 67 of the Act
- a Monetary Order for damage to the rental unit or common areas under sections 32 and 67 of the Act
- a Monetary Order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement under section 67 of the Act
- authorization to retain all or a portion of the Tenant's security deposit in partial satisfaction of the Monetary Order requested under section 38 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

The Tenants applied for:

- a Monetary Order for the return of all or a portion of their security deposit and/or pet damage deposit pursuant to sections 38 of the Act
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

### **Analysis**

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. If the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the Tenant's application and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The parties agree that Tenants will pay the Landlord \$700.00 by e-transfer on or before May 30, 2025, at 11:59 p.m.
2. The parties agree that the Tenants may make this payment in installments if they so choose so long as the \$700.00 is paid in full by May 30, 2025, at 11:59 p.m.
3. The parties agree that neither party will make any further applications for dispute resolution regarding this tenancy.
4. The parties agree that this settlement agreement constitutes a final and binding resolution of both the Landlord and Tenants' current applications for dispute resolution.

## **Conclusion**

To give effect to the above settlement agreement, I grant a Monetary Order in the Landlord's favour in the amount of \$700.00. The Landlord is provided with the Order and must serve a copy of the Order on the Tenant should enforcement be required. The Landlord may only serve and enforce the Monetary Order if the Tenant fails to comply with term 1 of the above noted settlement agreement. Should the Tenants then fail to comply with the Order, it may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

Should the Tenants comply with term 1 of the settlement agreement, the Monetary Order is cancelled and of no force or effect.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: May 2, 2025

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Residential Tenancy Branch